

DO
DO
DO

determining, when it is ascertained at said determination step that said person cannot manage the response, a re-response procedure so that a re-response addressee or a re-response medium is different between the re-response procedure and the determined response procedure leading to the response which could not be managed by said person at said response procedure determination step, preparing re-response information at said response information preparation step in accordance with the re-response procedure, and outputting the re-response information at said response information output step in accordance with the re-response procedure.

REMARKS

This application has been reviewed in light of the Office Action dated October 11, 2001 (Office Action) and the comments provided by the Examiner in the Attachment to the Advisory Action dated April 9, 2002. Claims 1-24, 26-42, 44-49, 51-75, 77-93, 95-100, 102, and 104-106 are pending. Claims 1, 19, 38, 44, 52, 70, 89, 95, and 104-106 have been amended to define more clearly what Applicants regard as their invention. Claims 19, 38, 44, 70, 89, 95, and 104-106 are in independent form. Favorable reconsideration is requested.

The Office Action rejected Claims 19, 20, 23, 24, 27, 32, 33-37, 70, 71, 74, 75, 78, 83-88, and 104 under 35 U.S.C. § 102(b) as being anticipated by Morgan et al. (U.S. Patent 5,220,674) in view of Cain et al. (U.S. Patent No. 5,764,892); Claims 1-18, 52-69, and 103 under 35 U.S.C. § 103(a) as being obvious over Morgan et al. in view of Cain et al. and further in view of Mandel et al. (U.S. Patent No. 5,358,238); and Claims 21, 22, 26, 28-31, 38-42, 44-49, 51, 72, 73, 77, 79-82, 89-93, 95-100, 102, 105, and 106 as

being obvious over Morgan et al. in view of Cain et al. and further in view of Hayashi et al. (U.S. Patent No. 5,485,246).

The Attachment to the Advisory Action includes comments by the Examiner in response to Applicants' arguments in their Request for Consideration dated March 11, 2002. The Examiner stated, among other things, that Cain et al. teaches a system to monitor the status of devices and sending this status through either an e-mail or pager, either of which the Examiner refers to as a response medium.

Applicants submit that the present invention as recited in Claim 19 is patentable over the proposed combination of Morgan et al. and Cain et al. at least for the following reason.

The aspect of the present invention set forth in Claim 19 is a response apparatus. The apparatus acquires a status of a machine to be checked, discriminates a type of an error indicated by the acquired status, and determines a response addressee depending upon the discriminated type of the error. The apparatus determines a response medium based on the discriminated type of the error and determines a *response message* in accordance with the discriminated type of the error. The apparatus prepares the response information, including the determined response message, in a text form corresponding to the determined response medium, and outputs the prepared response information to the determined response addressee using the determined response medium.

One important feature of Claim 19 is that the apparatus determines a response message in accordance with the discriminated type of the error. Even if Cain et al. be deemed to suggest a system to monitor the status of devices and sending this status through either an e-mail or pager as stated by the Examiner in the Attachment to the

Advisory Action, Applicants submit that nothing in Cain et al. would teach or suggest an apparatus that determines a *response message*, not just a response medium, in accordance with the discriminated type of the error, and for this reason, Applicants submit that the present invention as recited in Claim 19 is patentable over the proposed combination of Morgan et al. and Cain et al., assuming such combination would even be permissible.

Independent Claims 70 and 104 are method and storage medium claims, respectively, that include the same feature that determines a response message in accordance with the discriminated type of the error, as discussed above in connection with apparatus Claim 19. Accordingly, Claims 70 and 104 are believed to be patentable for at least the same reasons as discussed above in connection with Claim 19.

Applicants submit that the present invention as recited in Claim 38 is patentable over the proposed combination of Morgan et al., Cain et al., and Hayashi et al. at least for the following reason.

The aspect of the present invention set forth in Claim 38 is a response apparatus. The apparatus determines a response procedure, including a response addressee and a response medium, and prepares the response information in accordance with the determined response procedure. The apparatus also outputs the prepared response information to the determined response addressee using the determined response medium to determine whether or not a response has failed as a result of outputting the response information. When it is ascertained that the response has failed, the apparatus determines a re-response procedure so that a response addressee or a response medium is different between the re-response procedure and the determined response procedure leading to the failed response, thereby permitting the preparation of re-response information in

accordance with the re-response procedures, and permitting output of the re-response information.

One important feature of Claim 38 is that the apparatus determines (when it is ascertained that the response has failed) a re-response procedure so that a response addressee or a response medium is different between the re-response procedure and the determined response procedure leading to the failed response, thereby permitting the preparation of re-response information in accordance with the re-response procedures, and permitting output of the re-response information.

The Attachment to the Advisory Action states that "[t]he examiner does not see the limitation of 'the re-response addressee or the re-response medium differs between the response and the re-response procedure.'" The amendment to Claim 38 clearly recites a means to determine a re-response procedure so that a response addressee or a response medium is different between the re-response procedure and the determined response procedure, as recommended by the Examiner and Applicants submit that at least for this reason, Claim 38 is patentable over the proposed combination of Morgan et al., Cain et al., and Hayashi et al.

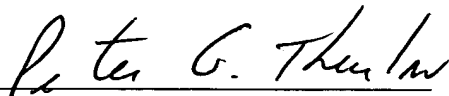
Independent Claim 44 is an apparatus claim, Claims 89 and 95 are method claims, and Claims 105 and 106 are storage medium claims that include the same feature of determining a re-response procedure so that a response addressee or a response medium is different between the re-response procedure and the determined response procedure, as recited above in connection with Claim 38. Accordingly, Claims 44, 89, 95, 105, and 106 are believed to be patentable for at least the same reasons as discussed above in connection with Claim 38.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 47,138.

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200



Appln. No. 08/988,959
Atty. Docket No. 03500.012418.

VERSION WITH MARKINGS SHOWING CHANGES MADE TO CLAIMS

1. (Four Times Amended) A response apparatus according to claim 19,
[further comprising:
- response message determination means for determining a response
message in accordance with the discriminated type of the error,]
- wherein said response information preparation means prepares the
response information [for] in the text form corresponding to the determined response medium [in
text form] by combining the determined response message with an opening or closing phrase that
is characteristic of the response medium.
19. (Four Times Amended) A response apparatus comprising:
- status acquisition means for acquiring a status of a machine to be checked;
- discrimination means for discriminating a type of an error indicated by the
acquired status;
- response addressee determination means for determining a response
addressee depending upon the discriminated type of the error;
- response medium determination means for determining a response
medium based on the discriminated type of the error;
- response message determination means for determining a response
message in accordance with the discriminated type of the error;

response information preparation means for preparing response information [representing the discriminated type of the error in accordance with] including the determined response message in a text form corresponding to the determined response [addressee and] medium; and

response information output means for outputting said prepared response information to said determined response addressee using the determined response medium.

38. (Three Times Amended) A response apparatus comprising:

response procedure determination means for determining a response procedure including a response addressee and a response medium;

response information preparation means for preparing response information in accordance with the determined response procedure;

response information output means for outputting the prepared response information to the determined response addressee using the determined response medium;

response result determination means for determining whether or not a response has failed as a result of outputting the response information; and

re-response control means for, when said response result determination means ascertains that said response failed, permitting said response procedure determination means to determine a re-response procedure [in which] so that a response addressee or a response medium is different [from] between the re-response procedure and the determined response procedure leading to the failed response, permitting said response information preparation means

to prepare re-response information in accordance with the re-response procedures, and permitting said response information output means to output the re-response information.

44. (Three Times Amended) A response apparatus comprising:

response procedure determination means for determining a response procedure including a response addressee and a response medium;

response information preparation means for preparing response information in accordance with the determined response procedures;

response information output means for outputting the prepared response information to the determined response addressee using the determined response medium;

response addressee status acquisition means for acquiring a status for the determined response addressee;

determination means for employing the status for the determined response addressee that is acquired by said response addressee status acquisition means to determine whether or not a person at the determined response addressee can manage the response; and

re-response control means for, when said determination means determines that said person cannot manage the response, permitting said response procedure determination means to determine a re-response procedure [in which] so that a re-response addressee or a re-response medium is different [from] between the re-response procedure and the determined response procedure leading to the response which could not be managed by said person, permitting said response information preparation means to prepare re-response information in

accordance with the re-response procedure, and permitting said response information output means to output the re-response information in accordance with the re-response procedure.

52. (Four Times Amended) A response method according to Claim 70,
[further comprising the steps of:
determining a response message in accordance with the discriminated type of the
error; and]
wherein, in said preparing response information step, preparing the response
information [for] in the text form corresponding to the determined response medium [in text
form] by combining the determined response message with an opening or closing phrase that is
characteristic of the response medium.

70. (Four Times Amended) A response method comprising the steps of:
acquiring a status of a machine to be checked;
discriminating a type of an error indicated by the acquired status;
determining a response addressee depending upon the discriminated type of the
error;
determining a response medium based on the discriminated type of the error;
determining a response message in accordance with the discriminated type of the
error;

preparing response information [representing the discriminated type of the error in accordance with] including the determined response message in a text form corresponding to the determined response [addressee and] medium; and

outputting said prepared response information to said determined response addressee using the determined response medium.

89. (Three Times Amended) A response method comprising the steps of:
determining a response procedure including a response addressee and a response medium;

preparing response information in accordance with the determined response procedure;

outputting the prepared response information to the determined response addressee using the determined response medium;

determining whether or not a response has failed as a result of outputting the response information; and

determining, when it is ascertained at said response result determination step that said response has failed, a re-response procedure [in which] so that a re-response addressee or a re-response medium is different [from] between the re-response procedure and the determined response procedure leading to the failed response, preparing re-response information at said response information preparation step in accordance with the re-response procedure, and outputting the re-response information at said response information output step.

95. (Three Times Amended) A response method comprising the steps of:

determining a response procedure;

preparing response information in accordance with the determined response procedure including a response addressee and a response medium;

outputting the prepared response information to the determined response addressee using the determined response medium;

acquiring a status for the determined response addressee;

employing the status for the determined response addressee that is acquired at said response addressee status acquisition step to determine whether or not a person at the determined response addressee can manage the response; and

determining, when it is ascertained at said determination step that said person cannot manage the response, a re-response procedure [in which] so that a re-response addressee or a re-response medium is different [from] between the re-response procedure and the determined response procedure leading to the response which could not be managed by said person at said response procedure determination step, preparing re-response information at said response information preparation step in accordance with the re-response procedure, and outputting the re-response information at said response information output step in accordance with the re-response procedure.

104. (Four Times Amended) A computer-readable storage medium in which is stored a response program for controlling a computer to transmit a response, said program comprising codes for enabling said computer to perform the steps of:

acquiring a status of a machine to be checked;

discriminating a type of an error indicated by the acquired status;

determining a response addressee depending upon the discriminated type of the error;

determining a response medium based on the discriminated type of the error;

determining a response message in accordance with the discriminated type of the error;

preparing response information [representing the discriminated type of the error in accordance with] including the determined response message in a text form corresponding to the determined response [addressee and] medium; and

outputting said prepared response information to said determined response addressee in accordance with the determined response procedure.

105. (Three Times Amended) A computer-readable storage medium in which is stored a response program for controlling a computer to transmit a response, said program comprising codes for enabling said computer to perform the steps of:

determining a response procedure including a response addressee and a response medium;

preparing response information in accordance with the determined response procedure;

outputting the prepared response information to the determined response addressee using the determined response medium;

determining whether or not a response has failed as a result of outputting the response information; and

determining, when it is ascertained at said response result determination step that said response has failed, a re-response procedure [in which] so that a re-response addressee or a re-response medium is different [from] between the re-response procedure and the determined response procedure leading to the failed response at response procedure determination means, preparing re-response information at said response information preparation step in accordance with the re-response procedure, and outputting the re-response information at said response information output step.

106. (Three Times Amended) A computer-readable storage medium in which is stored a response program for controlling a computer to transmit a response, said program comprising codes for enabling said computer to perform the steps of:

determining a response procedure including a response addressee and a response medium;

preparing response information in accordance with the determined response procedure;

outputting the prepared response information to the determined response addressee using the determined response medium;

acquiring a status for the determined response addressee;

employing the status for the determined response addressee that is acquired at said response addressee status acquisition step to determine whether or not a person at the determined response addressee can manage the response; and

determining, when it is ascertained at said determination step that said person cannot manage the response, a re-response procedure [in which] so that a re-response addressee or a re-response medium is different [from] between the re-response procedure and the determined response procedure leading to the response which could not be managed by said person at said response procedure determination step, preparing re-response information at said response information preparation step in accordance with the re-response procedure, and outputting the re-response information at said response information output step in accordance with the re-response procedure.